

## Article - State Finance and Procurement

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§5A–318.

- (a) The Board shall exercise the powers and duties of the Trust.
- (b) The Trust may:
  - (1) adopt regulations to carry out this subtitle;
  - (2) take legal action to enforce this subtitle;
  - (3) adopt and use an official seal;
  - (4) contract for consultant or other services;
  - (5) apply for and accept money, grants, or loans from federal, State, local, or private sources;
  - (6) agree with a prospective mortgagor or grantee to provide financial assistance to a historic preservation project;
  - (7) acquire and hold real and personal historic property by gift, purchase, devise, bequest, or any other means;
  - (8) acquire or take assignment of a note, mortgage, or other security or evidence of indebtedness;
  - (9) acquire, attach, accept, or take title to an historic property by conveyance or, if a mortgage is in default, by foreclosure;
  - (10) sell, convey, assign, lease, or otherwise transfer or dispose of any property held by the Trust;
  - (11) make contracts, leases, or other agreements necessary or incidental to the performance of the duties of the Trust;
  - (12) preserve, restore, rehabilitate, reconstruct, protect, document, excavate, salvage, exhibit, and interpret historic properties;
  - (13) accept a gift or bequest for any purpose of the Trust and, unless the donor specifies otherwise, use the principal and income of the gift or bequest by:

- (i) spending all or part of them to further the Trust; or
  - (ii) investing them, with the consent of the State Treasurer, in general obligations of the State or other securities;
- (14) apply to Trust purposes any money, asset, property, or other thing of value the Trust receives incident to its operation; or
- (15) delegate any of the powers of the Trust to one or more trustees or the Director.
- (c) The Trust shall:
  - (1) direct and conduct a comprehensive statewide survey of historic properties in cooperation with:
    - (i) units of the federal government;
    - (ii) State units, including the Department of Natural Resources;
    - (iii) political subdivisions;
    - (iv) private organizations; and
    - (v) individuals;
  - (2) maintain an inventory and register of historic properties;
  - (3) document, research, record, and evaluate the significance of historic properties;
  - (4) prepare and implement comprehensive statewide and regional historic preservation plans;
  - (5) help political subdivisions to develop local historic preservation plans and programs;
  - (6) carry out programs and activities to protect, preserve, and encourage the preservation of historic properties;
  - (7) preserve and administer historic properties held by the Trust;

(8) cooperate with units of federal government, State units, political subdivisions, and private entities to ensure that historic properties are considered at all levels of planning and development;

(9) review the policies and programs of each State unit that affect historic properties, and recommend ways to improve the effectiveness and coordination of these policies and programs, consistent with this subtitle;

(10) administer programs of financial and technical assistance for historic preservation projects;

(11) make recommendations on the certification and eligibility of historic properties for tax incentives and other programs of public assistance;

(12) provide public information, education, and training relating to historic preservation;

(13) encourage public interest and participation in historic preservation;

(14) advise and assist the State Historic Preservation Officer in implementing the State Historic Preservation Officer's responsibilities;

(15) advise the Governor and the General Assembly on historic preservation; and

(16) submit annually to the Governor and, subject to § 2-1257 of the State Government Article, to the General Assembly a report of the activities of the Trust during the preceding year and any recommendations for actions appropriate to further its purposes.

(d) Income and fees received by the Trust, including fees authorized under this subtitle and income from educational and other preservation materials, activities, and services of the Trust, are not subject to § 7-302 of this article.

(e) Money maintained under this section is subject to audit by the State, including the Legislative Auditor.

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